

Notice of Allowability

Application No.

10/813,128

Examiner

JOHN PAK

Applicant(s)

NAUTIYAL ET AL.

Art Unit

1616

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Applicant's response of 4/18/2007.
2. ☒ The allowed claim(s) is/are 1-16 [no renumbering necessary].
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08), Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material
5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413), Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


JOHN PAK
PRIMARY EXAMINER
GROUP 1400

Applicant's election without traverse of the invention of Group III in the reply filed on 4/18/2007 is acknowledged.

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Dawn Russell on 7/5/2007.

Amendments to the Claims

CANCEL the non-elected claims 17-69.

Claim 1. (Currently amended) A synergistic fermented composition useful in promoting plant growth, soil health and bio-controlling, said composition obtained by fermenting a combination comprising bovine urine, crushed neem leaves of concentration ranging between 10 to 750 grams/liter of bovine urine, and crushed garlic bulbs of concentration ranging between 1 to 500 grams/liter of bovine urine, optionally along with one or more carriers.

Claim 2. (Currently amended) A synergistic composition as claimed in claim 1, wherein the concentration of the neem leaves is 250 grams/liter of bovine urine.

Claim 3. (Currently amended) A synergistic composition as claimed in claim 1, wherein the concentration of the crushed garlic bulbs is 100 grams/liter of bovine urine.

Claim 6. (Currently amended) A synergistic composition as claimed in claim 1, wherein the carrier is selected from the group consisting of vermicompost, soil, peat, rice husk, vermiculite, carboxymethyl cellulose, perlite, polyvinyl-pyrrolidone, talc, and fermented press mud.

Claim 7. (Currently amended) A synergistic composition as claimed in claim 1, wherein the carrier is vermicompost or fermented press mud.

Claim 8. (Currently amended) A synergistic composition as claimed in claim 1, wherein the concentration of the carrier is between 10 to 1000 grams/liter of bovine urine.

Claim 9. (Currently amended) A process of preparing synergistic fermented composition comprising bovine urine, crushed neem leaves and crushed garlic bulbs, optionally along with one or more carriers, useful in promoting plant growth, said process comprising steps of:

- a) collecting fresh urine from healthy bovine to provide bovine urine,
- b) adding crushed neem leaves and crushed garlic bulbs to provide a resultant mixture, wherein the concentration of the crushed neem leaves is between 10 to 750 grams/liter of said bovine urine and the concentration of the crushed garlic bulbs is between 1 to 500 grams/liter of said bovine urine,
- c) fermenting the resultant mixture to obtain the synergistic composition, and

d) optionally, adding one or more carriers to the synergistic composition.

Claim 10. (Currently amended) A process as claimed in claim 9, wherein the concentration of the crushed neem leaves is 250 grams/liter of said bovine urine.

Claim 11. (Currently amended) A process as claimed in claim 9, wherein the concentration of the crushed garlic bulbs is 100 grams/liter of said bovine urine.

Claim 13. (Currently amended) A process as claimed in claim 9, wherein the resultant mixture is fermented for about 30 days.

Claim 14. (Currently amended) A process as claimed in claim 9, wherein the carrier is selected from the group consisting of vermicompost, soil, peat, rice husk, vermiculite, carboxymethyl cellulose, perlite, polyvinyl-pyrrolidone, talc, and fermented press mud.

Claim 15. (Currently amended) A process as claimed in claim 9, wherein the carrier is vermicompost or fermented press mud.

Claim 16. (Currently amended) A process as claimed in claim 9, wherein the concentration of the carrier is between 10 to 1000 grams/liter of said bovine urine.

Amendment to the Specification

Specification page 1, immediately below the Title, at line 3, **insert the following**

--- This application claims benefit of Provisional Application 60/458,372, filed on March 31, 2003. ---

CABA abstract 2004:196804 is cited to further show the state of the art.

Any inquiry concerning this communication or earlier communications from the Examiner should be directed to JOHN PAK whose telephone number is **(571)272-0620**. The Examiner can normally be reached on Monday to Friday from 8 AM to 4:30 PM.

If attempts to reach the Examiner by telephone are unsuccessful, the Examiner's SPE, Johann Richter, can be reached on **(571)272-0646**.

The fax phone number for the organization where this application or proceeding is assigned is **(571)273-8300**.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (571)272-1600.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Application/Control Number: 10/813,128
Art Unit: 1616

Page 6

A handwritten signature in black ink, appearing to read 'John Pak', is positioned above the printed name.

John Pak
Primary Examiner
Technology Center 1600